

SUMMARY OF CASES ACCEPTED DURING THE WEEK OF OCTOBER 19, 1998

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#98-146 Belton v. Bowers Ambulance Service S072534. (B112501; 65 Cal.App.4th 548.) Petition for review after the Court of Appeal reversed a judgment in a civil action. This case concerns whether the statutory provision tolling the statute of limitations for prisoner's civil actions (Code Civ. Proc, §352.1) applies to the one-year statute of limitations for medical malpractice actions (Code Civ. Proc., §340.5).

#98-147 People v. Brewer, S072748. (B111134.) Unpublished opinion. Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. This case presents an issue, concerning whether the trial court has the authority to dismiss a "strike" in furtherance of justice as to some, but not all, of the current felony convictions, which is related to an issue before the court in People v. Garcia, S069783. (See #98-67.)

#98-148 Los Carneros Community Associates, Inc.v. Penfield & Smith Engineers, Inc., S072581. (B105545; 65 Cal.App.4th 168.) Petition for review after the Court of Appeal reversed a judgment of dismissal of a civil action. This case presents an issue, concerning whether the protection of the anti-SLAPP suit provision applies to conduct which relates to any issue which is the subject of an official proceeding or under

(over)

consideration by an official body or whether the issue must additionally be one of public significance (Code. Civ. Proc., §425.16), which is related to an issue before the court in Briggs v. Eden Council for Hope & Opportunity S062156. (See #97-117.)

#98-149 People v. Salazar, S072722. (D028792.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case presents an issue, concerning whether a defendant may be simultaneously convicted of both receiving stolen property and burglary, which is related to an issue before the court in People v. Allen, S070028. (See #98-68.)

DISPOSITION

#97-107 Aydin Corp. v. First State Ins. Co., S061830, was dismissed and remanded to the Court of Appeal.

#